

CASE NO. 5:19-cv-162-FB (HJB)

IN THE
U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS—SAN ANTONIO DIVISION

DANIEL GUZMAN and CHAVALIER ENGRAM, Individually and on Behalf of All
Others Similarly Situated
Plaintiffs

V.

CASCADE PROCESS CONTROLS, INC., DOUG CORCORAN, PAT BRACK, and
KELLY MAXWELL
Defendants

**DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION FOR PARTIAL
SUMMARY JUDGMENT ON DEFENDANT CASCADE'S LIABILITY UNDER
THE FLSA**

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Attorneys for Defendant

CASE NO. 5:19-CV-162-FB (HJB)

**DANIEL GUZMAN AND CHAVALIER
ENGRAM, INDIVIDUALLY AND
ON BEHALF OF ALL OTHERS SIMILARLY
SITUATED**

PLAINTIFFS

v.

**CASCADE PROCESS CONTROLS, INC.,
DOUG CORCORAN, PAT BRACK, AND
KELLY MAXWELL**

DEFENDANTS

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

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THE FLSA**

COMES NOW, Cascade Process Controls, Inc., Doug Corcoran, Pat Brack, and Kelly Maxwell (hereinafter "Defendants"), by and through their respective counsel of record and files this Response to Plaintiffs' Motion for Partial Summary Judgment on Defendant Cascade's Liability Under the FLSA, and for merit thereunto would show this Honorable Court the following:

I. RESPONSE & STIPULATIONS

1. First, Defendants sincerely appreciate the Court's extension of leave to respond.
2. That said, after diligent conversations with and amongst Defendants and their counsel, in addition to the law as it applies in this case, Defendants hereby

stipulate to Plaintiffs' claim that Defendant Cascade is liable to Plaintiffs under the austere language of the Fair Labor Standards Act (hereinafter "FLSA") as alleged within Plaintiffs' Partial Motion for Summary Judgment.

3. While Defendant Cascade does not argue this narrow issue, to wit, its liability to Plaintiffs as alleged within Plaintiffs' Motion at bar, there still remains a genuine issue of material fact with regard to individually named Defendants' liability in this regard, as well as the overall accurate amount of total damages and liquidated damages.
4. Therefore, as to the narrow issue of liability as Plaintiff has pled in its Motion, Defendants do not dispute such liability, and hereby stipulate to such allegations which Plaintiffs have raised.

Respectfully submitted,

/s/ B. Blaze Taylor, Esq.

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Counsel for Defendant

CERTIFICATE OF SERVICE & COMPLIANCE

This is to certify that on April 28, 2020 Plaintiffs were properly noticed and served with a true and correct copy of the foregoing document via the PACER CM/EMF document filing system.

Respectfully submitted by,

/s/ B. Blaze Taylor, Esq.
B. Blaze Taylor, Esq.